



DAN MORALES
ATTORNEY GENERAL

Office of the Attorney General
State of Texas

June 14, 1991

Mr. Glenn Williams
Child Welfare Attorney
Texas Department of Human Services
P.O. Box 15995
Austin, Texas 78761

OR91-292

Dear Mr. Williams:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 12532.

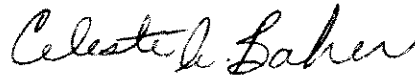
You have forwarded to us for our review investigative reports concerning the alleged sexual abuse of a child. You argue that you may withhold the reports based on Open Records Decision No. 440 (1986).

We agree. This office in Open Records Decision No. 440 recognized that investigative reports prepared pursuant to chapter 34 of the Family Code or chapter 21 of the Penal Code were confidential and thus excepted from disclosure pursuant to section 3(a)(1) of the Open Records Act, which excepts from disclosure "information deemed confidential by law, either Constitutional, statutory, or by judicial decision." The reports that you have forwarded to us are reports of investigations prepared pursuant to either chapter 34 of the Family Code or chapter 21 of the Penal Code. Thus, you must withhold those reports in accordance with section 3(a)(1). *See also* Open Records Decision No. 587 (1991).

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with

a published open records decision. If you have questions about this ruling, please refer to OR91-292.

Yours very truly,

A handwritten signature in cursive script, reading "Celeste A. Baker".

Celeste A. Baker
Assistant Attorney General
Opinion Committee

CAB/lb

Ref.: ID# 12532

Enclosures: documents; Open Records Decision Nos. 440, 587.

cc: Mrs. M.A. Williamson
P.O. Box 9593
College Station, Texas 77842